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2  
3 BILL NO. Z-75-10-14

4  
5 ZONING MAP ORDINANCE NO. Z-1051

6 AN ORDINANCE amending the City of Fort Wayne  
7 Zoning Map No. A 2

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
9 WAYNE, INDIANA:

10 SECTION 1. That the area described as follows is hereby designated  
11 a B3B district under the terms of Chapter 36, Municipal Code of the City of Fort  
12 Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amend-  
13 ments thereof; and the symbols of the City of Fort Wayne Zoning Map No. A 2,  
14 referred to therein, established by Section 9, Article III of said Chapter as  
15 amended, are hereby changed accordingly, to-wit:

16  
17 The west 28 feet of Lot numbered 478, all of Lot numbered 479,  
18 Lot numbered 480, Lot numbered 481 and Lot numbered 482 in  
19 Hamilton's 4th Addition, as recorded in Deed Record #69, page  
20 397 in the office of the Recorder of Allen County, Indiana, except  
21 that part of Lot numbered 482 described as follows: Commencing  
22 on the south line of Lot numbered 482 said point being 7 feet east  
23 of the SW corner of Lot numbered 482; thence west 7 feet to the  
24 SW corner of Lot #482, 83 feet; thence southeasterly 84.28 feet to  
25 the point of beginning.

26 SECTION 2. This Ordinance shall be in full force and effect from  
27 and after its passage, approval by the Mayor and legal publication thereof.

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APPROVED AS TO FORM  
AND LEGALITY, \_\_\_\_\_

*[Signature]*  
Attorney for Common Council

Read the first time in full and on motion by Kraus, seconded by Nichols, and duly adopted, read the second time by title and referred to the Committee on Regulations ( and to the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: 10-14-75

Charles B. Hutcheson  
CITY CLERK

Read the third time in full and on motion by V. Schmidt, seconded by Thompson, and duly adopted, placed on its passage. Passed (LOST) by the following vote:

AYES	<u>0</u>	NAYS	<u>9</u>	ABSTAINED	_____	ABSENT	_____	to-wit:
BURNS	_____	<u>✓</u>	_____	_____	_____	_____	_____	
HINGA	_____	<u>✓</u>	_____	_____	_____	_____	_____	
<del>HUNTER</del>	_____	<u>✓</u>	_____	_____	_____	_____	_____	
<del>KRAUS</del>	_____	<u>✓</u>	_____	_____	_____	_____	_____	
<del>NICHOLS</del>	_____	<u>✓</u>	_____	_____	_____	_____	_____	
<del>MOSES</del>	_____	<u>✓</u>	_____	_____	_____	_____	_____	
SCHMIDT, D.	_____	<u>✓</u>	_____	_____	_____	_____	_____	
SCHMIDT, V.	_____	<u>✓</u>	_____	_____	_____	_____	_____	
STIER	_____	<u>✓</u>	_____	_____	_____	_____	_____	
TALARICO	_____	<u>✓</u>	_____	_____	_____	_____	_____	

Date: 7-25-78

Charles B. Hutcheson  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

ATTEST: (SEAL)

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

\_\_\_\_\_  
CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

\_\_\_\_\_  
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 14, 1975, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-75-10-14; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

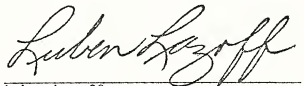
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 17, 1975;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 26, 1978.

Certified and signed this  
27th day of June, 1978.

A handwritten signature in cursive script, reading "Luben Lazoff", written in dark ink over a horizontal line.

Luben Lazoff  
Secretary

Bill No. Z-75-10-14

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending the City of Fort Wayne Zoning Map No. A2

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do Not PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

JOHN NUCKOLS - VICE CHAIRMAN

WILLIAM T. HINGA

DONALD J. SCHMIDT

JAMES S. STIER

Vivian G. Schmidt  
John Nuckols  
William T. Hinga  
Donald J. Schmidt  
James S. Stier  
CONCURRED IN

CHARLES W. WESTERMAN, CITY CLERK

7-25-78  
DATE

## RECEIPT

GENERAL FUND

No 031

FT. WAYNE, IND. Sept 22 1975RECEIVED FROM Bill Cagan \$ 47.75THE SUM OF Forty dollars DOLLARSON ACCOUNT OF Business - lots 478, 479

AUTHORIZED SIGNATURE

The map displays the following towns and their street grids:

- Lehigh Valley:**
  - Lehigh Valley North:** Streets include 443, 267, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.
- Allentown:** Streets include 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.
- Bethlehem:** Streets include 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.
- Easton:** Streets include 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78,

PETITION TO REZONE

We, the undersigned, being the owners of more than fifty-one percent (51%) of the real estate hereinafter described, do hereby respectfully petition the Common Council of the City of Fort Wayne, Indiana, to enact an ordinance to reclassify from a B-1-B District to a B-3-B District, the real estate described as follows, to-wit:

The west 28 feet of Lot numbered 478, all of Lot numbered 479, Lot numbered 480, Lot numbered 481 and Lot numbered 482 in Hamilton's 4th Addition, as recorded in Deed Record #69, page 397 in the office of the Recorder of Allen County, Indiana, except that part of Lot numbered 482 described as follows: Commencing on the south line of Lot numbered 482 said point being 7 feet east of the SW corner of Lot numbered 482; thence west 7 feet to the SW corner of Lot #482; thence north along west line of Lot #482, 83 feet; thence southeasterly 84.28 feet to the point of beginning.

Subject property is shown on Pages A-2 and A-4 of the Zoning books of the City of Fort Wayne, Indiana.

Dated September 18, 1975.



W. O. Pope  
Rural Route 2, Box 183E  
Knightstown, Indiana 46148



William P. Fagan  
425 Lincoln Bank Tower  
Fort Wayne, Indiana 46802  
Attorney for Petitioner

# CERTIFICATE OF SURVEY

OFFICE OF:

JOHN R. DONOVAN

REGISTERED PROFESSIONAL CIVIL ENGINEER No. 9173 INDIANA

REGISTERED LAND SURVEYOR No. 9921 INDIANA

FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

Measurements were made and corners perpetuated as shown herein, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, ELLEN County, Indiana. No encroachments existed, except as noted below.

The description of the real estate is as follows, to wit: The west 28 feet of Lot numbered 476, all of Lot numbered 479, Lot numbered 480, Lot numbered 481 and Lot numbered 482 in Hamilton's 4th Addition, as recorded in Deed Record #69, page 397 in the office of the Recorder of Allen County, Indiana, except that part of Lot numbered 482 described as follows: Commencing on the south line of Lot numbered 482 said point being 7 feet east of the SW corner of Lot numbered 482; thence west 7 feet to the SW corner of Lot #482; thence north along west line of Lot #482, 84 feet; thence southeasterly 84.28 feet to the point of beginning.

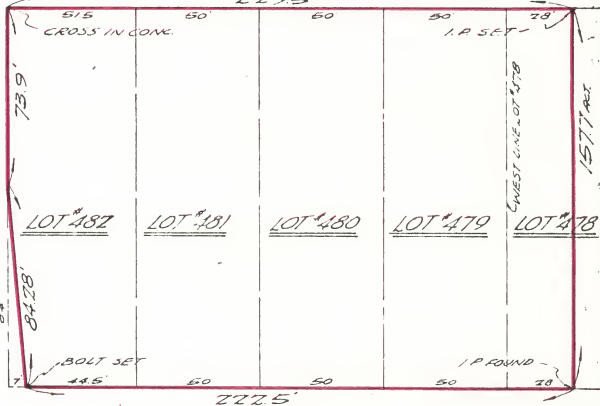
WOODLAND AVE.

56' R/W

2295'

S. CLINTON ST.

60' R/W

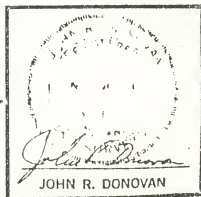


PONTIAC ST.

50' R/W

JOB FOR: FT. WAYNE COMM. SCHOOLS

1"=40'  
9-6-68





PETITION TO REZONE

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Subject property is shown on Pages A-2 and A-4 of the Zoning books of the City of Fort Wayne, Indiana.

Dated September 18, 1975.

W. O. Pope

W. O. Pope  
Rural Route 2, Box 183E  
Knightstown, Indiana 46148

William P. Fagan

William P. Fagan  
425 Lincoln Bank Tower  
Fort Wayne, Indiana 46802  
Attorney for Petitioner

# CERTIFICATE OF SURVEY

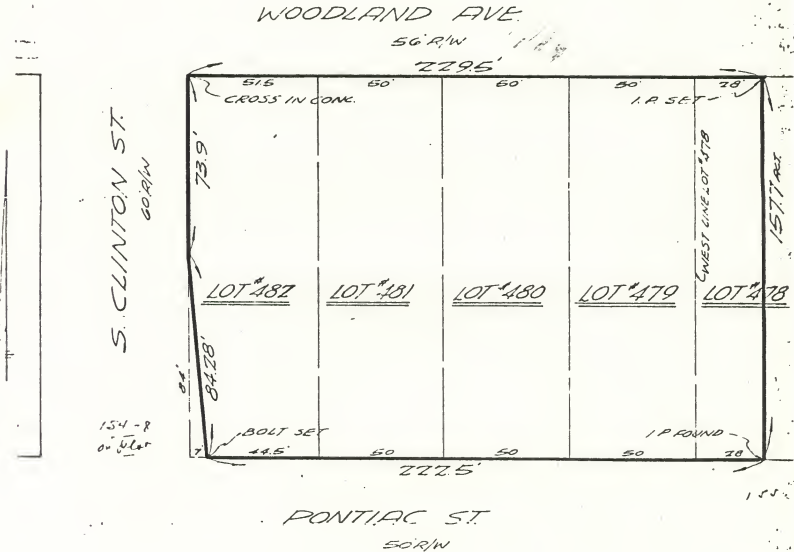
OFFICE OF:

**JOHN R. DONOVAN**  
 REGISTERED PROFESSIONAL CIVIL ENGINEER No. 9173 INDIANA  
 REGISTERED LAND SURVEYOR No. 9921 INDIANA  
 FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

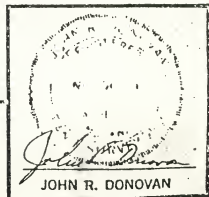
Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, ELLEN County, Indiana. No encroachments existed, except as noted below.

The description of the real estate is as follows, to wit: The west 28 feet of Lot numbered 476, all of Lot numbered 479, Lot numbered 480, Lot numbered 481 and Lot numbered 482 in Hamilton's 4th Addition, as recorded in Deed Record #69, page 397 in the office of the Recorder of Allen County, Indiana, except that part of Lot numbered 482 described as follows: Commencing on the south line of Lot numbered 482 said point being 7 feet east of the SW corner of Lot numbered 482; thence west 7 feet to the SW corner of Lot #482; thence north along west line of Lot #482, 84 feet; thence southeasterly 84.28 feet to the point of beginning.



JOB FOR: FT. WAYNE COMM. SCHOOLS

1"=40'  
 9-6-68





## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

community development & planning  
Long Range Planning & Zoning

18 July 1978

Members of the Common Council  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

The attached is a letter forwarded to Mr. Charles Cogdell, attorney for the petitioner for Bill No. Z-75-10-14 a rezoning from "B1B" to "B3B". We received no response to this correspondence. The letter to Members of Council along with the note directing Mr. Cogdell to contact Mrs. Eshcoff was forwarded to Mr. Cogdell on June 27, 1978 the day the Plan Commission returned the ordinance to Council with a DO NOT PASS recommendation.

Sincerely,

CITY PLAN COMMISSION

Patricia A. Biancaniello  
Secretary



## THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

December 2, 1975

Mr. Charles Cogdell  
425 Lincoln Bank Tower  
Fort Wayne, IN 46802

Ref: Bill No. Z-75-10-14  
From "B1B" to "B3B"

Dear Mr. Cogdell:

The City Plan Commission, at its regular meeting held November 24, 1975, reviewed Bill No. Z-75-10-14. The petition was given a "DO PASS" recommendation, subject to the following conditions:

1. A landscaping screen shall be constructed along the east property line for the length of the property.
2. A landscape screen shall be constructed along Woodland Avenue to screen the building from residential property to the north.
3. Landscaping shall be installed in the parking lot in compliance with parking lot ordinance.
4. No buildings shall be constructed closer to Clinton Street than the present buildings are located.

All ordinances, which are given a "DO PASS" recommendations by the City Plan Commission, upon conditions to be met by the petitioners, or others seeking passage of the ordinance, shall be held by the City Plan Commission staff for a period of not more than six (6) months to allow the petitioners or others to satisfy the conditions required by the City Plan Commission.

In the event the said conditions are not satisfied within six (6) months from the date of the Plan Commission's decision to recommend "DO PASS" with conditions, then the petition will be returned to the City Plan Commission for its reconsideration and recommendation of "DO NOT PASS" to the City Council, if the Plan Commission determines at that time that such recommendation is proper under the circumstances existing at that time.

Mr. Charles Cogdell

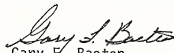
December 2, 1978

Page two

If there are any questions, please contact this office.

Sincerely,

COMMUNITY DEVELOPMENT & PLANNING  
Division of Long Range Planning & Zoning

  
Gary V. Baeten  
Land Use Administrator

GFB:pb

CC: W.O. Pope  
R.R. #2, Box 183E  
Knightstown, Indiana 46148



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

community development & planning  
Long Range Planning & Zoning

27 June 1978

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held June 26, 1978. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-75-10-14
2. From "B1B" to "B3B"
3. Intended Use: Not Given
4. Plan Commission Recommendation: DO NOT PASS

This ordinance received a DO NOT PASS recommendation for the following reasons:

The Plan Commission originally in 1975 gave this ordinance a do pass recommendation with conditions. The petitioner did not respond to our request to meet these conditions and since then has not initiated any proceedings to do so.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING  
Division of Long Range Planning & Zoning

Gary F. Baeten  
Land Use Administrator

GFB:pb

Attachments

The enclosed materials have been forwarded to Council. If you wish to know when final action is taken on this amendment, please contact Mrs. Nadka Eshcoff in the City Clerk's Office at 423-7183.

CITY PLAN COMMISSION



TITLE OF ORDINANCE Zoning Map Amendment Ordinance 2-7570-14

DEPARTMENT REQUESTING ORDINANCE COMMUNITY DEVELOPMENT AND PLANNING

SYNOPSIS OF ORDINANCE Petitioners are requesting the rezoning  
of the following described property: The west 28 feet of Lot # 478,

and lots # 479, 480, 481 & 482 of Hamilton's 4th Addition, generally  
located on the northeast corner of Clinton Street and Pontiac Street.

From "B1B" to "B3B"

EFFECT OF PASSAGE Property is presently zoned a "B1B" - Limited  
Business. Petitioners are requesting a "B3B" District - General Business.

A "B3B" is a heavier commercial use.

EFFECT OF NON-PASSAGE Property would remain a "B1B" District

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) Regulations JBS